



MINUTES
WINTER BUSINESS MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
MARCH 13, 2020
WASHINGTON, D.C.

MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
National Building Museum
Washington, D.C.
March 13, 2020

PROVISIONAL AGENDA

Call to Order 8:30 a.m.

- I. Chairman's Welcome and Report
- II. Swearing-in of New ACHP Member
- III. ACHP Administrative Issues
 - A. Improving Member Meetings and Communications
 - B. ACHP Comments on Federal Agency Rulemakings
 - C. Change in ACHP Observers
- IV. Historic Preservation Policy and Programs
 - A. White House Council on Eliminating Regulatory Barriers to Affordable Housing
 - B. Preservation in Practice
 - C. Traditional Trades Training in Historic Preservation
 - D. Surface Transportation Reauthorization
 - E. Other Reports
- V. Section 106
 - A. Federal Permitting Improvement Steering Council
 - B. Digital Information Task Force
 - C. ACHP Section 3 Report Development
 - D. Leveraging Federal Historic Buildings Working Group
 - E. Update on National Register and National Environmental Policy Act Regulation Revisions
 - F. Other Reports
- VI. New Business
- VII. Adjourn

IN ATTENDANCE

Aimee Jorjani, Chairman
Robert Stanton
Jordan Tannenbaum
Jay Vogt
Brad White

Architect of the Capitol

Secretary of Agriculture

Secretary of Defense

Secretary of Education

Administrator, General Services Administration

Secretary of Homeland Security

Secretary of Housing and Urban Development

J. Brett Blanton

Represented by:

Allen Rowley
Associate Deputy Chief,
National Forest System

Represented by:

Maureen Sullivan
Deputy Assistant
Secretary of Defense
(Environment, Safety &
Occupational Health)

Represented by:

Casey Sacks
Deputy Assistant
Secretary for
Community Colleges

Represented by:

Beth Savage
Director, Center for
Historic Buildings,
Public Buildings
Service

Represented by:

Teresa Pohlman
Executive Director,
Sustainability and
Environmental
Programs

Represented by:

John Bravacos
General Deputy
Assistant Secretary,
Community Planning
and Development

Secretary of the Interior

Represented by:

Ryan Hambleton
Deputy Assistant
Secretary for Fish and
Wildlife and Parks

Secretary of Transportation

Represented by:

Loren Smith
Deputy Assistant
Secretary for Policy

Colleen Vaughn
Federal Preservation
Officer

Secretary of Veterans Affairs

Represented by:

Michael Brennan
Executive Director,
Office of Construction
and Facilities
Management

Indian Tribe Member

Reno Keoni Franklin
Chairman Emeritus, Kashia
Band of Pomo Indians

President, National Conference of State Historic
Preservation Officers

Mark Wolfe
Texas State Historic
Preservation Officer

General Chairman, National Association of Tribal Historic
Preservation Officers

Shasta Gaughen
Pala Band of Mission Indians
Tribal Historic Preservation
Officer

Valerie Grussing
Executive Director,
NATHPO

Chair, National Trust for Historic Preservation

Represented by:

Paul Edmondson
President

OBSERVERS

Managing Director, Council on Environmental Quality

Represented by:

Ted Boling
Associate Director for
NEPA

President, ACHP Foundation

Katherine Slick
Historic Preservation Consultant

In attendance and participating in the meeting in person or on the telephone were ACHP Executive Director John M. Fowler; ACHP Office Directors Reid Nelson, Susan Glimcher, Javier Marques, Valerie Hauser; Commissioner Brendan Carr and Federal Preservation Officer Jill Springer of the Federal Communications Commission; Tammi Fergusson, White House Initiative on Historically Black Colleges and Universities.

PROCEEDINGS

Chairman's Welcome

Advisory Council on Historic Preservation (ACHP) Chairman Aimee Jorjani opened the winter business meeting at 8:41 a.m. She asked Robert Stanton to lead the Pledge of Allegiance. The agenda was adopted with a motion by Reno Franklin, and a second by Jordan Tannenbaum. Chairman Jorjani appointed Shayla Shrieves recorder of the meeting. Chairman Jorjani introduced the new members at the table: Jay Vogt, Architect of the Capitol Brett Blanton (on the phone), Michael Brennan from the Department of Veterans Affairs (VA), and Allen Rowley from the Department of Agriculture (USDA). She noted Mayor Robert Simison of Meridian, Idaho, will become the mayor member of the ACHP as soon as his processing is complete.

Chairman Jorjani announced several proxies: Luis Hoyos and Terry Guen to Brad White; Vice Chairman Leonard Forsman to Mr. Tannenbaum; Secretary of the Interior to Chairman Jorjani; National Association of Tribal Historic Preservation Officers (NATHPO) to Mr. Franklin. She thanked everyone for being at the meeting and for being so flexible, noting that with just a few hours' notice, the meeting location was changed from the Kennedy Caucus Room to the ACHP's conference room in the National Building Museum due to the coronavirus closings. Chairman Jorjani asked members to introduce themselves around the table. The fall business meeting's Minutes were adopted with a move by Mr. Tannenbaum and second from Maureen Sullivan.

The chairman asked John Fowler to report on staff changes. He noted Kirsten Kulis is the new National Park Service (NPS) liaison. Ms. Kulis was most recently the General Services Administration (GSA) liaison, and the ACHP will be advertising that position soon. The ACHP is also working on a program comment with the Army for inter-war housing and is now advertising to hire an Army liaison.

Regarding the coronavirus, he mentioned Javier Marques has taken the point in developing a plan for the ACHP. It has two elements: how ACHP staff does its work and what the impacts might be on the Section 106 process in the field through the State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs).

The ACHP has a well-established telework policy, and all staff members are equipped to work remotely. The National Building Museum will be closed to the public for the foreseeable future. Hopefully, ACHP members will not notice any difference in how staff accomplishes the work.

Mr. Fowler said he has received inquiries already about Section 106 timeframes. He said the ACHP is preparing to send guidance to the states, tribes, and Federal Preservation Officers (FPOs). He asked Mark Wolfe to keep him informed on what he is hearing from SHPOs.

Mr. Fowler also thanked the staff who came in early to set up the room when the venue was changed the previous night. Chairman Jorjani thanked the Architect of the Capitol for bending over backwards to make the venue of the Kennedy Caucus Room available to the ACHP.

She said the previous evening she awarded the ACHP Chairman's Award for Achievement in Historic Preservation for the rehabilitation of the World War II-era Black Officers Club at Fort Leonard Wood, Missouri, to the US Army and partners for their work. She said it is a wonderful project and an excellent

outcome. She thanked ACHP staff member Katharine Kerr for her dedication to this project as well as Mr. Stanton for his engagement and leadership in recognizing this outstanding achievement.

Ms. Sullivan thanked the ACHP and all of the partners for recognizing a great project. She said it proves how wonderful representations of history can be part of today's meaningful world. Members watched a video about the project. Chairman Jorjani thanked Katherine Slick and ACHP Foundation for arranging and supporting the reception.

Chairman's Report

The chairman noted three Leveraging Historic Buildings Working Group meetings have taken place. She thanked the staff who got those up and running and GSA for giving a great presentation. Since the November business meeting, she spoke at the Saving Places Colorado statewide conference; met with Maryland SHPO Elizabeth Hughes and Virginia SHPO Julie Langland for demonstrations of e106 and GIS with cultural resources. Those visits are educational and tie in well with the recommendations of the Digital Information Task Force.

She is pleased with the ACHP budget passback and subsequent budget request, thanks to the work of ACHP staff with the Office of Management and Budget (OMB).

She finalized the strategic plan and developed performance goals. She shared those with Congress and OMB. Additionally, the chairman led a productive meeting convening the FPOs. She has also been working hard to determine what the ACHP, collaborating with external experts, can do to address the growing preservation trade skills gap.

Chairman Jorjani then swore in Mr. Vogt, with his son Gabriel holding the Bible. Mr. Vogt said it is an honor to be asked to serve on the ACHP. He is glad to be part of working with federal agencies to ensure they take preservation into consideration in their decisions.

Chairman Jorjani said Mr. Vogt succeeds Dorothy Lippert, who contributed much to the ACHP. She read an appreciation certificate which will be given to Dr. Lippert for her service.

At this time Colleen Vaughn left the table, and Loren Smith joined the meeting.

ACHP Meeting and Communication Improvements

Chairman Jorjani said over the past several months she has had an opportunity to look at ACHP operations, with an eye toward improving communications with members, clarifying some internal procedures, and updating representation on the ACHP. The meeting book summarizes these changes and questions posed to the members.

The meeting book has been re-organized and simplified. There was discussion in the Communications, Education, and Outreach (CEO) Committee meeting to get feedback on that. She asked if members find the revised format easier to use, or if they have any other suggestions to offer. Mr. Franklin said the digital format is really easy to follow.

At this time John Bravacos arrived at the meeting.

Chairman Jorjani asked if members had any suggestions for improving business meetings. She asked if the number of business meetings was sufficient with committee calls in-between.

Ms. Sullivan said the three meeting schedule is optimal. She mentioned the conference calls in-between seem to be a lot of reporting and suggested working on how to structure them so they are more of a dialogue. Chairman Jorjani said she would circulate an agenda for comments before the calls.

Mr. Fowler said one of the changes is that committee meetings at the business meeting now run in sequence. Similarly, everyone can be on every committee call. The calls should focus more on issues that are of interest to the whole membership rather than just one committee. This could spur more dialogue. He mentioned the members' website where members can see materials and reference items.

Mr. Tannenbaum said the Federal Agency Programs (FAP) Committee is going to look for ways to involve more of the committee in presenting on the calls. Chairman Jorjani said it is unclear who actually sits on these committees. She made the change to open it up to those interested in topic areas while still having a chairman and vice chairman of the committees to chart the course. All committees' agendas will be shared all at once.

Ms. Sullivan said it is good having the committee meetings one after another. It enables people to get more involved in the other committees, and not being torn by which ones to attend.

Chairman Jorjani said since the last meeting, she looked at if she would need an executive committee. The consensus among members was that such a committee should only have the power to act for the membership when given specific delegation. Given the steps being taken to more broadly engage the members, there appears to be no real reason for a formal executive committee. Mr. Franklin said whatever helps her further her knowledge and agenda is what they should do. Mr. Stanton said he enjoys the sequences of meetings to learn more about the priorities and the functioning of the ACHP. He said one of the things he tries to do in the CEO Committee is to check whether they are supportive of the strategic plan.

Chairman Jorjani said the meeting book paper has a detailed breakdown of periodic communications that are sent to the members. The CEO Committee discussed this. Mr. Stanton said there seems to be a unanimous point of view that the changes made in communications and the structure have been very well-received. There has been a question about who should be receiving the formal communications from the chairman's office or from the staff. He said it is the decision of the individual members as to who within their respective organization should be on the mailing list.

Mr. Fowler added that he sends out information to the council members through the council member email list, which is about 90 people. Based on what he hears from an agency, he will include specific staff people. He would like to ensure that the agency representatives, the official designees, are the ones who are deciding whom within their agency gets ACHP communications and materials. The materials sent for the business meeting become public information, so members may share them with anybody they want to. Chairman Jorjani said she will be following up with an email to get feedback on the appropriate representatives to include on the list.

Mr. Stanton mentioned another suggestion that came out of the committee discussion was that staff should apprise the council members of scheduled events that may be of interest to them as well as media opportunities. Chairman Jorjani noted things like that can be on the member resources website. She does not want to fill inboxes with information, but have a one-stop place for everything and make sure that member communication is meaningful.

A new OneDrive file-sharing site has been created to share information on Section 106 program alternatives that are under development. It is meant to cut down on the amount of email traffic and centralize information in one location for invited members to view and comment on.

Reid Nelson came to the table and said baseline information is posted now on the site. He hopes to engage the members at several additional key points in the development of program alternatives. Mr. White said this is one of the most important things that the ACHP has undertaken, because it will provide for member engagement in a way that it has not been provided for in the past.

Regulations

Chairman Jorjani said recently, a question was raised about how the ACHP provides comments on regulations that are proposed by other federal agencies and that might have an impact on historic preservation. Some time ago, a procedure was set in place determining the ACHP's participation in legislative referrals. She called Mr. Marques to the table to brief members on this issue.

Mr. Marques said the members have in their meeting books a process he developed for how the ACHP comments on other agencies' rule-makings. He gave an overview of the paths agencies take to come up with new regulations or amend or repeal existing regulations.

Of 3,000 to 4,000 rule-making processes a year, about 80 to 200 go through the Office of Information and Regulatory Affairs (OIRA) process. One of the reasons the ACHP wanted to come up with a process is to make sure that when the ACHP wants to comment on a regulation going through OIRA review it gets invited to do so. Given the nature of the ACHP, where a lot of the members are not federal officials, OMB may be concerned about allowing non-federal officials into the process. Mr. Marques' proposal is to say that if the ACHP is involved in the OIRA review, that is the only process the ACHP will use for commenting. The agency will not come back and re-litigate issues in the public arena.

Mr. Marques noted three other aspects of the process. When a non-federal member wants to comment independently on an actual rule-making, or may subsequently challenge that rule-making, those members have to recuse themselves as ACHP members from this OIRA process. When the ACHP is going through commenting through OIRA, it will involve members in a manner that the information is only shared with the actual members or designees. And finally, the members will have an opportunity to provide their views before the chairman makes the final comment.

Paul Edmondson said the National Trust has a strong interest because it takes independent positions on rule-making. The recusal provisions are particularly important, as is the process of ensuring that whatever comments are being provided by the chairman really do reflect the views of the council members. Mr. Marques clarified that when a member is recused that member would not be included in ACHP deliberations or see the final comment in the OIRA process.

Mr. Fowler mentioned if the National Trust is commenting on the same regulation and wants to share its comments while the ACHP is developing its comments, even if they are recused, there is no reason they cannot share their views with the membership and the staff.

Ms. Sullivan asked if non-federal members are going through this process is Mr. Marques officially their attorney. Mr. Marques said he is the attorney for the ACHP, not individually to members. Ms. Sullivan also asked how far information can be shared in the OIRA process. If it goes to a particular member who is not a federal official, the challenge is how widely they can distribute it and who is their counsel advising them in that process. Mr. Marques said he would make the point that this information needs to be kept with that member, not to be shared with the public. Ms. Sullivan offered to help coordinate the ACHP plan with OIRA if needed.

Mr. Fowler said there are occasions where something is moving through the regulatory review process, or more broadly, for legislative referrals or draft executive orders, and the people running the process do not necessarily see the ACHP as an agency to consult. He would appreciate members pointing out to those

managers that this is something the ACHP should be involved in, because the ACHP is responsible for advising on preservation issues or coordinating the Section 106 process.

Mr. Bravacos said one of the things he is engaged with at the Department of Housing and Urban Development (HUD) is a spectrum of regulatory reforms moving at a fast pace. He thinks the timing issue becomes interesting. He asked if the ACHP has a potential for greater impact using the public voice or has a larger voice with more potential impact with OIRA. The opportunity to develop the ACHP's perspective in a public forum might be the most effective way to achieve the preservation issues.

Mr. Fowler said he looks at the federal members as partners, a board of directors. The ACHP is trying to promote preservation recognizing that members have a mission. For effectiveness, the earlier the ACHP is engaged with an agency in developing a regulatory proposal, a policy, or a report, the more effective and constructive it can be in the member's process. What he hopes to avoid is a situation in which the member agency comes out with a proposal and, because they did not talk early on, the ACHP then goes public in a position that is in opposition to the member agency. It is important to involve the agency's cultural resource staff in those decisions in discussions, so that those issues get flagged early on.

Ryan Hambleton said if members feel there is value in being involved in the OIRA process versus the public, that is fine, then it makes sense to consider taking steps to make sure that the ACHP gets invited. Mr. White said just because the ACHP is invited, there still needs to be a discussion of strategy as to whether it accepts the invitation.

Ted Boling agreed and said this policy is going to directly affect the Council on Environmental Quality (CEQ) rulemaking. It is best to get this all clarified as to the various roles of the ACHP writ large and agency staff members, including members who may need to recuse themselves.

Beth Savage said the processes within federal agencies are going to be varied. There is often not a recognition that the cultural resources people need to be involved. They often do not see that cultural resources or preservation should be involved in the commenting process, because they do not understand the ramifications of what they are looking at, and how it can impact performance in that way. That is an internal struggle.

Mr. Wolfe said, unlike other federal agencies, the whole purpose of the ACHP is to advise. It is important to say that anytime advice is given, the more open, transparent, and public it can be, the better. The more people it is restricted to, the worse.

Chairman Jorjani said while she agrees with Mr. Wolfe, she has found success in having conversations off to the side with other federal agencies and Administration officials.

Surface Transportation Reauthorization

Mr. Smith reviewed some of the high points regarding the surface transportation reauthorization. As unveiled in the President's budget, this would be a 10-year, \$810 billion bill. It would be a little bit longer than the standard surface transportation reauthorization to try to give more certainty to federal transportation policy. It would run through FY 2030.

Mr. Smith said this is a program that continues a lot of the work the Department of Transportation (DOT) is doing while providing some additional measures for funding. About a four percent year over year increase through 2030 is what would be envisioned in the bill.

Two major initiatives include a freight initiative and a rural initiative. DOT spent the last few months developing a freight strategic plan as part of the mandate under the FAST Act to coordinate major freight

corridors better including their expansion. The demand for freight is going to grow very significantly over the coming decade, perhaps as much as 50 percent. Another major initiative is the ROUTES Initiative (Rural Opportunities to Use Transportation for Economic Success). Items that need to be part of the proposal include rural areas that have been neglected in recent decades.

Regarding permitting reform, he said they want to reduce the economic loss that comes from projects waiting for multiple agencies to have their own reviews that can individually take months or years. What DOT wants to do is get to a decision in a way that allows for all voices to be heard but gets to that decision in a reasonable time.

Mr. Stanton asked if the legislation provides for the dedication of funds to upgrade and preserve roads on public lands, particularly relating to USDA and Department of the Interior (DOI). Mr. Smith said preservation will definitely be part of the program. He said they are largely preserving and expanding what is already in the laws with respect to that area.

Mr. Franklin asked if there are specific set-asides for tribes within existing tribal rural roads programs. He said he hopes the legislation takes into account shared heritage and how groups preserve and maintain projects. Mr. Smith said tribes are prominently featured in the proposal. He said DOT is looking to put more investment in all the areas of current surface transportation programs, and that definitely includes tribal areas.

Mr. White asked how Section 4f and Section 106 may align. Mr. Smith said DOT is not making radical changes to Section 106 or any of the other important preservation elements. Mr. White said ACHP staff has had a great deal of experience with these issues and probably have ways to improve the process. He asked about Transportation Alternatives, encouraging that those be expanded somewhat and applied to historic resources and historic preservation. Mr. Fowler said the ACHP would be delighted to participate in any discussions at the earliest point of the legislative deliberations.

ACHP Observers

Chairman Jorjani said the operating procedures authorize the chairman, with the consent of the members, to invite agencies and organizations to sit on the ACHP as non-voting observers. The purpose is to bring the perspectives of these parties to the ACHP's work and to foster collaboration in achieving shared goals.

Currently, the Department of Energy (DOE), Environmental Protection Agency (EPA), CEQ, ACHP Foundation, National Alliance of Preservation Commissions (NAPC), and former Mayor Joe Riley Jr. are formal observers. Over time, the ACHP often changes observers based on the priorities and programs of the agency. Sometimes there are term limits for them, but currently there are not. With the adoption of the new strategic plan, now is a good time to reconsider observers.

In the past, the ACHP has worked with DOE and EPA more closely, but currently that is not the case. Termination of their observer status is proposed. Also, Mr. Riley has been retired for some time as mayor.

Chairman Jorjani said working with the strategic plan and youth strategic plan emphasizes engaging youth. The organization that conducts Preserve America Youth Summits can potentially be a valued partner. She proposed that it becomes an observer through its leader, Ann Pritzlaff Walker of Colorado.

Similarly, given the ACHP's interest and likely active involvement in the semiquincentennial commemoration, active engagement with the National Endowment for the Humanities (NEH) or the Institute of Museum and Library Services (IMLS) or the National Endowment for the Arts (NEA) would

be beneficial, and she proposes that one of them become an observer. She asked for the members' approval to go forward with engaging one of those grants-making entities.

Mr. Wolfe asked if the Preserve America Youth Summits was part of a bigger organization. Chairman Jorjani said it is a program of The Conservation Legacy, a conservation non-profit and is specific to cultural resources and engaging youth.

Mr. Rowley asked if the chairman could repeat the engagement the ACHP has had in the past with DOE and EPA, what is forecasted into the future, and what is the trade-off. Mr. Fowler said the whole concept of observers was to bring agencies and other organizations to the table where there are mutual program or policy interests. When the ACHP was involved with the weatherization program and the Recovery Act, it was doing a lot of work with DOE on energy conservation. Similarly, with EPA, there was an interest in sustainability and green buildings. Chairman Jorjani said there was a White House liaison who had served on the ACHP and had some great interest in preservation.

Teresa Pohlman commented about DOE, because resilience is a subject that is rising in prominence, particularly with respect to energy and water. Looking past hurricane seasons, she wondered whether it would be useful to keep DOE as an observer.

Mr. Fowler said one of the reasons the agency is proposed for succession is that there has not been any participation, and the ACHP does not have any contacts there. He suggested if Dr. Pohlman could connect him with someone at DOE and they could talk of mutual interest, then it might be worthwhile keeping them. Dr. Pohlman said she would be happy to make the connection.

Mr. Franklin said he supported the decision to keep DOE as an observer. He asked if only a certain number of observers are allowed, but there is no limit. Then he asked if the chairman was looking for a formal motion to accept this recommendation.

Chairman Jorjani said she is looking at two different motions. One of them can easily be edited, editing out EPA and keeping DOE on. Mr. Franklin moved that the administrator of the Environmental Protection Agency be removed as an observer to the ACHP. Chairman Jorjani called a voice vote and all vote aye.

Chairman Jorjani said there could be a mechanism where she establishes dates and term limits, so that she can revisit to make sure she has current contacts within an agency and they continue to stay engaged.

She called for a second motion that the membership concur with inviting the director of the Preserve America Youth Summit Program and either the chairman of the NEH, the director of the IMLS, or the chairman of the NEA to become observers to the ACHP for a five year term.

Mr. White made the motion. Mr. Stanton seconded it.

Mr. Boling noted NEH may be doing more grant-making in the area of actions that would involve Section 106 review. He said they are an excellent candidate and asked about the other organizations.

Chairman Jorjani said there is a nexus with NEA: they have a preservation officer on staff; they do a lot with historic theaters; and they fund state arts agencies which house many SHPOs. For IMLS, a lot of state historical societies and other local history entities often utilize its grants. Each agency has produced reports to the semiquincentennial initiative. She noted it would not be all three, just one. She said a lot of this idea stems from ACHP work with the Preservation in Practice program. The White House Initiative on Historically Black Colleges and Universities (HBCU) puts on a major conference every fall, and the ACHP participates in a track with these agencies.

The chairman read the motion again, and the members voted unanimously to accept it.

At this time Mr. Smith left the table, and Ms. Vaughn returned.

Historic Preservation Policy and Programs

Chairman Jorjani opened discussion on the White House Council on Eliminating Regulatory Barriers to Affordable Housing. The President issued Executive Order 13878, establishing the Council. She said members discussed this at the fall meeting, and she has taken a number of steps since then. The White House Council's work is to identify administrative practices that may pose barriers to affordable housing and determine how to increase supply.

She said she understands that NAPC and the National Trust were among the preservation organizations that responded to HUD's recent Request for Information on eliminating regulatory barriers to affordable housing issued on behalf of the White House Council. The ACHP provided comments to HUD. They focused on the importance of reusing historic buildings for affordable housing and asserted that preservation reviews, such as for Section 106 for federal historic tax credits, are not overly burdensome. Further, the comments discussed the potential changes to local codes and land use plans to promote affordable housing by using historic properties.

The ACHP received an invitation to one of HUD Secretary Ben Carson's affordable housing roundtables regarding barriers, and Mr. Fowler attended.

Mr. Fowler said he was relieved to hear no one bring up preservation as a barrier at the roundtable. He mentioned the good work that has been done with the historic tax credits often paired with the low-income housing credits to demonstrate that preservation can be a tool for affordable housing. At the roundtable, he had a conversation with the executive director of Up for Growth, an affordable housing advocacy organization. Up for Growth was very interested in the historic tax credit but also wanted to talk to the preservation community about the Yes in My Backyard (YIMBY) Act. The bipartisan bill would require localities to report on whether they are implementing a series of measures to promote affordable housing as a part of qualifying for Community Development Block Grant funding.

Unfortunately, both the House and Senate versions of the bills contained language that painted preservation in negative terms. Up for Growth approached the ACHP to explore how to get preservation community buy-in for the YIMBY bill. Mr. Fowler coordinated discussions between the ACHP, Up for Growth, the National Trust, and the National Conference of State Historic Preservation Officers (NCSHPO) and worked out language that was included in the mark-up in the House which was then passed by the House. The Senate has agreed to adopt the House language in its bill. All of this flowed from having a seat at the HUD roundtable.

Mr. Fowler said the new language in the bill does not identify preservation as the barrier. It opens the door for collaboration with affordable housing advocates to use preservation to meet their goals.

Mr. White said the Preservation Initiatives (PI) Committee discussed affordable housing and preservation at its meeting. Battles about affordable housing and historic preservation are generally fought at the local level. They explored the perception that preservation requirements are burdensome, which often work their way to the national level in the form of complaints and proposals to relax standards for review or exempt property types from any review at all. This exemplifies the need for preservation advocates to provide facts and better education to help counter such perceptions.

A general consensus emerged in the committee that the ACHP should take a look at its 2006 policy statement on preservation and affordable housing. That policy statement identified specific areas where

there should be flexibility in application of the standards and in what materials are used. Another part of that policy statement focused on historic buildings within historic districts. The policy statement indicates that the important part of those buildings for purposes of review are the exteriors of those buildings, and less consideration or more flexibility should be given on making interior changes.

The committee suggested talking to those who are using the low-income housing tax credit, HUD programs, and the tax credit to find out if there are other issues that have arisen in the past 14 years that need to be addressed more flexibly. The next steps may include putting together a task force or providing recommendations on improving the policy.

Chairman Jorjani recapped three points from the 2006 policy statement that she would like to take another look at: review of effects in historic districts should focus on exterior features rather than the interior; the need for archaeological investigation should be avoided; and encouraging streamlining of the Section 106 process to respond to local conditions.

Mr. Bravacos said he is pleased that the 2006 policy statement is going to be reviewed. HUD has a housing trust fund that did not exist in 2006, and there are some other flexibilities in some of the programming. HUD received more than 600 comments from its Request for Information. He is looking at the Section 106 process within the context of HUD's environmental regulatory structure. There is some overlap with HUD's Office of Native American Programs that is in the Public and Indian Housing Program. Once he finishes HUD's report it will be coordinated with reports from the other agencies on the White House Council. The final report to the President should be out in the summer.

Chairman Jorjani said she welcomes the opportunity to review or comment on any drafts of the report that may be under development.

Preservation in Practice

Chairman Jorjani said the ACHP has been working with NPS and the National Trust on Preservation in Practice. The program introduces architecture students from HBCUs to the field of historic preservation and provides hands-on learning experiences for them.

She invited Tammi Fergusson, the intergovernmental relations coordinator with the White House Initiative on HBCUs, to the table.

Mr. Stanton said this is the third year of participating in Preservation in Practice. This program has been successful through the unwavering support by NPS, the National Trust, the ACHP Foundation, and Chairman Jorjani. He asked how the council members collectively and individually could offer or extend support for the continuation of this program. It is not a program geared only to the participation of the founding partners. It is an ACHP program, in keeping with the letter and the spirit of the strategic plan in support of youth programming, the engagement of diverse audiences in historic preservation.

Ms. Fergusson gave an overview of the White House Initiative. The founding executive order instructs her office to work with their 34 federal agency partners, to ensure that they are doing what they can so that students have access to high-quality programs. The federal partners have to reach three different components within that executive order. They need to establish how the agency intends to increase the capacity of HBCUs to compete effectively for grants, contracts, and cooperative agreements; identify federal programs and initiatives where HBCUs are not well-represented and improve HBCUs' participation in them; and encourage public sector and private sector and community involvement in those institutions. The ACHP has become a model agency for the initiative.

She said the ACHP has been exemplary through two major components: Preservation in Practice and work with the Arts and Culture cluster. She encouraged the ACHP to use her office as a resource, to reach out to partners to see what additional collaborative work they all can do. Susan Glimcher asked if a federal agency is a member of the White House Initiative on HBCUs and partners with the ACHP on Preservation in Practice, whether their contribution counts as part of the work for the White House Initiative. Ms. Fergusson said yes, and it is not always financial support. A part of the executive order stresses those public and private partnerships.

Mr. Tannenbaum asked for follow up on graduates of the program and collecting information from them. Mr. Stanton gave an overview of this summer's schedule for the students including time at Grand Teton National Park and in Washington, DC, and work on a HOPE Crew project. He invited ACHP members to join him on the days he will be touring DC with the students.

He suggested the ACHP produce a two-pager that provides information about the program and its relationship to the President's initiative on HBCUs. He suggested presenting that to members to share with their liaison person, with the offer for ACHP staff to provide a personal orientation about Preservation in Practice.

He envisions that in the coming years the ACHP will be doing a similar outreach with Latino-serving institutions, tribal colleges, Asian American-serving institutions, and others. He suggested looking at the workforce within the federal government and looking at private sector employment in terms of historical architects or others in the preservation movement. He said clearly they do not reflect the face of America. That is the ACHP's charge: to reflect the face of America.

Mr. Tannenbaum suggested bringing back the idea of producing a video about the program.

Ms. Slick turned attention to the meeting packet where there was an assessment of the program that the ACHP Foundation produced.

Traditional Trades Training

Chairman Jorjani said there was a great conversation in the PI Committee. Moss Rudley, the superintendent of the NPS's Historic Preservation Training Center, participated. The committee discussed how several organizations are working toward a similar goal: to identify the needs related to traditional trades training. A major issue is a lack of a recognized curriculum in the field and what could potentially lead to work opportunities. The chairman has found several good partners related to that including the Historic Preservation Training Center, Preservation Maryland, and the Department of Education.

The National Center for Construction Education and Research is an entity that Mr. Rudley has been working with and that Casey Sacks knows extremely well. They are an educational foundation to create standardized training and credentialing programs for the construction industry, and they are recognized by industry. It means something for students to have credentials showing that they have gone through this curriculum and training.

The chairman would like to engage these external experts along with interested ACHP members and announced she is creating the Traditional Trades Training Task Force. It would address things that the ACHP may be able to tackle pertaining to the development of a curriculum and related issues.

Currently, the Secretary of the Interior's Professional Qualifications Standards only recognize those with a master's degree in historic preservation or historic architects. There is nothing similar that recognizes the skilled worker. She said there seems to be a need for an umbrella to the various efforts that are going on related to this.

Dr. Sacks said the Advertising Council, in collaboration with a number of private companies, will be coming out with a fairly significant ad campaign helping to promote lots of different pathways into careers. The idea is to illuminate the fact that people can get good jobs with less than a bachelor's degree but more than a high school diploma and to highlight what some of those are. The skilled trades will be among many professions that are highlighted.

Mr. Wolfe said there is a demand for this; he sees it all the time, even in small towns across Texas. Ms. Slick said there are a few states that have begun some trades training; Utah has had a program for a number of years. She suggested reaching out to NCSHPO to ask who has good programs that they might recommend. Another group that has been active for a long time is the international conservation community. Many countries in Europe have good programs as does Canada.

Dr. Sacks suggested reviewing the College Scorecard. For the first time trades schools are represented in the College Scorecard data. She said the data set they use is what is populating Google. She said questions such as "Does such-and-such a place have a program?" will return anything that is accredited and eligible for federal financial aid. It is a pretty broad swath of the programs that exist.

Mr. Stanton asked if Job Corps program participants would have an incentive to go into federal service rather than into the private sector where the salaries may be higher. The ACHP should take a look at how the federal jobs can become competitive.

Ms. Savage said GSA was approached by the International Masonry Institute about how their membership could become more competitive for GSA jobs or for teams that were contracted by GSA. They are creating, with the University of Pennsylvania, a credentialing program for masonry as well. Not only are traditional trades at a premium currently, trades are at a premium throughout the construction industry.

Mr. Franklin suggested California State Parks has good programs where they are trying to engage youth.

Preservation Initiatives

Mr. White said an issue that just came to light in the last couple of days is the Great American Outdoors Act. On March 3, President Trump issued a call for action to Congress asking for a bill that would fully fund the Land and Water Conservation Fund (LWCF) and restore national parks.

On March 10, the Great American Outdoors Act was introduced in the Senate. It combines the texts of previously introduced bills and does two things: fully fund the LWCF at its authorized level of \$900 million per year and provide \$9.5 billion over five years to address deferred maintenance of federal properties, principally in national parks.

The ACHP wrote to Congress supporting the deferred maintenance funding in 2018 and 2019, and support of full LWCF funding in 2009. The PI Committee applauded the support of the President for both of those important funding streams that will aid in the preservation of historic properties.

Mr. White said the consensus of the committee is that the ACHP should consider a motion to support the Great American Outdoors Act. Based on his knowledge, this bill came as a result of President Trump's Twitter message. He also understands that Interior Secretary David Bernhardt has spoken in favor of portions of this at a previous time.

Mr. Hambleton said in this case, the Department of the Interior is inclined to support the resolution based on what Mr. White reported. Secretary Bernhardt has been on the Hill conveying support for the bill. Mr. White thanked Mr. Hambleton for the information and offered the motion:

Whereas the Great American Outdoors Act (Senate Bill 3422) would fully fund and permanently fund the Land and Water Conservation Fund at its authorized level of \$900 million annually and provide \$9.5 billion over five years for deferred maintenance needs of the National Park Service, US Fish and Wildlife Service, US Forest Service, the Bureau of Land Management, and the Bureau of Indian Education;

Whereas the Advisory Council on Historic Preservation previously has supported both full funding of the Land and Water Conservation Fund and funding to address deferred maintenance;

Now therefore, it is moved that the Advisory Council on Historic Preservation supports the Great American Outdoors Act (Senate Bill 3422) and directs the chairman to advise the Congress of this support.

Mr. Stanton seconded it.

Mr. Edmondson said this is an unusual situation where there is bipartisan support for a very important piece of legislation that will achieve things that have been needed for a long time. Chairman Jorjani noted she was grateful for Senator Cory Gardner's leadership on the bill.

Chairman Jorjani said without objection, she would waive the roll call vote to approve this motion. The motion passed unanimously.

Native American Discussion

Mr. Franklin said he wanted to speak about shared duties and speak on behalf of the Tohono O'odham Nation. He recounted the burning of the Notre Dame Cathedral in Paris, and how that event brought out the best in people, in that there was a sense of comfort even during this traumatic experience of watching it, that some healing was going to happen because of the actions and the outpouring from others.

He asked members to put themselves in the shoes of the Tohono O'odham Nation. This is a tribe of 34,000 that lives on the US-Mexico border with 12 districts in Mexico and the rest in the United States.

They have 62 miles of border, and the construction of the border wall runs right through the reservation. There are also a number of national parks that encompass sacred areas of the tribe and have been recognized as that by the federal agencies. His mission today is to talk to ACHP members about finding a better way to do what is needed to protect national security.

He said the country should never fail to recognize the right of tribes and of Indian people to protect their spiritual and sacred places and the remains of their ancestors and their dead. He was disheartened to be informed by the tribal chairman that with a 24-hour notice they were informed of some dynamiting that would be undertaken to make a platform for portions of the wall within their ancestral lands. The tribe was allowed only one monitor for the numerous actions that were going on. In areas where there were human remains found, there were no qualified personnel who could identify them as human remains. It was the tribe that had stepped forward with their qualified individuals to identify the remains.

He stressed to the ACHP that, in moving forward, what is happening along the wall is not the only place where this kind of action will occur. He said, as much as everyone felt watching that shared history be destroyed that day with Notre Dame, that feeling is very much a part of the Tohono O'odham people. Watching a spiritual place, a sacred place be destroyed and be defaced is a tough thing for any tribal people, but yet it happens.

Chairman Jorjani said she appreciated this discussion at the committee meeting, as well. She asked for insight from DHS.

Dr. Pohlman thanked Mr. Franklin for sharing the views of the tribe and appreciated being able to talk honestly together. She said DHS respects the traditions of all of the tribes. The Tohono O'odham is near and dear to their heart because DHS cannot do its job without them. Without the help of all of the tribes along the border, DHS cannot meet national security needs. She said they had a lot of interactions along the border for a long time, and that Customs and Border Protection, Border Patrol in particular, has evolved to have a lot of engagement that they did not previously have with the tribes.

They have contacted hundreds of tribes and other non-government entities to try to reach out to pertinent stakeholders. She said she knows DHS respects the spiritual and the physical nature of those sacred sites and the tribal connection to them. What she would like to do is talk about how to move forward and how to do this better. She said there is no moving forward without the tribes, without the help of non-government entities, and all of the stakeholders. She said they need to be successful and want the tribes to be successful also.

Mr. Franklin said he will commit to working with DHS on that. He has some suggestions for moving forward for actions that DHS can consider when dealing with tribes.

Federal Communications Commission (FCC) Discussion

Calling in to the meeting were FCC Commissioner Brendan Carr and Federal Preservation Officer Jill Springer. Mr. Nelson said the ACHP has interacted with FCC on a number of important historic preservation issues over the years, and he wanted the members to hear from Commissioner Carr directly about those efforts.

Commissioner Carr thanked the team for all the hard work on the issue with the build-out of Internet infrastructure. He is seeing the transition to 5G, which is going to be the new platform upon which this country's economic activity can take place. There will be more choices for in-home broadband. 5G can help deliver that in a way that 4G never could.

The key, though, is having a complete network that goes out everywhere. The FCC has to make sure that millions of other communities around the country have access. He said 3G and 4G involve relatively few, relatively large tower facilities to provide coverage. 5G is small cells. These antennas are coupled with equipment that can go on street lights, buildings, and other existing infrastructure and have a less intrusive footprint, generally needing less new construction. What the FCC is seeing with the build-out of 5G is a big spike in the number of small cells right now that are going through the Section 106 review process, as much as a 350 percent increase.

Shasta Gaughen asked Commissioner Carr about a recent meeting with tribes in which they were not treated with respect. Commissioner Carr apologized for these interactions and indicated that FCC is committed to respectful and productive consultation with Indian tribes going forward and that the agency will take the necessary steps to ensure that.

Mr. Nelson said he looks forward to exploring programmatic solutions with FCC on 5G and small cells.

Mr. White said he appreciated the education on 3G, 4G, and 5G. He also appreciated that he wants a reset. He said he hopes there is respect for all on the ACHP, and a respect for the processes developed that suits everyone's needs.

Chairman Jorjani said FCC has committed to several program improvements such as making the forms it uses to solicit information more consistent and complete, and resolving technical inconsistencies between its two existing nationwide Programmatic Agreements (nPAs) regarding allowable work activities.

She commended the FCC for working on those. Mr. Nelson said the ACHP has had a number of different discussions with FCC on these issues. One of the areas where he learned some significant improvements were being made is in the annual review meeting for the nPA that is in place right now.

Mr. Franklin thanked Commissioner Carr for taking the time to call in. He said he accepted his apology and that the offer of a reset is important. He hoped the commissioner would review the issues that came forward on the call that Ms. Gaughen raised, that he will take care of that and make sure there are the appropriate culturally sensitive staff addressing tribes on serious issues.

National Register Regulations

Mr. Hambleton said DOI continues to review the complex and meaty comments that were received from many and is still going through those. He said he thinks release is not imminent of a final rule for at least several weeks.

Mr. Fowler said the ACHP commented on the original National Register regulations publicly, because they did not go around for interagency review. He understands that this time the plan is to submit the final rule through the OIRA process.

Salish Kootenai College Partnership

Ms. Slick said she is looking for member participation and support in a program that the ACHP is launching with the Salish Kootenai College through the Memorandum of Understanding with the Foundation to provide support and services. They identified Salish Kootenai College on the Flathead Reservation as an opportunity to work with them because they are the only tribal college with a tribal historic preservation program. Out of the MOU came an opportunity to have a two-day summit that is planned now for the last week in May. She is looking at bringing together tribal professionals, agency professionals, and the students as well as THPOs from across the country to participate in this summit. The goal is to have a presence in the Northern Rockies, but also to explore current issues that are of interest not only to the student population but also engage with the agencies about issues that they have. It is a real opportunity for ACHP members to send staff and support financially the ongoing program. Job opportunities will also be discussed.

NEPA Regulations

Mr. Boling said CEQ spent about 60 days as the most popular rule in the *Federal Register* garnered by regulations.gov, 172,661 comments. Suffice it to say, he has an ample record to work on, which includes the transcripts from the many public hearings. He declined to give a timeline but noted engagement with the ACHP and its member organizations through the EO 12866 process is important and that publishing a final rule is an Administration priority.

Federal Permitting Improvement Steering Council

Chairman Jorjani said she attended the Permitting Council in January. One of the more prominent topics was support for the President's Governors' Initiative on Regulatory Innovation to better align state and federal permitting regulations. The initiative is in collaboration with the National Governors Association and promotes the creation of state-level permitting councils.

She met with Executive Director Alex Herrgott of the Permitting Council subsequently to discuss the many ways the goals of the ACHP and the Permitting Council intersect. Both the Offices of Federal Agency Programs and Native American Affairs participated in that meeting. They offered various ideas,

including the “Working Effectively with Tribal Governments” online, on-demand course. She hoped it attracts the funding source through the Permitting Council.

Mr. Nelson said the ACHP has seen a lot of benefit come from the dialogue among federal agencies on how to improve environmental reviews. Recognizing that the Permitting Council is working well, he was supportive of its efforts to advance the notion that states may benefit from similar permitting councils. He has found ACHP involvement in the Federal Permitting Improvement Council very beneficial. It is good to be part of early discussions at the planning level and talk about how to improve the coordination and collaboration between environmental reviews. He encouraged SHPOs to try to be part of that equation should a state level permitting council be developed in their states.

Digital Information Task Force

Mr. Tannenbaum said the task force is through with Phase 1 which has produced five key recommendations. Each one includes specific action items that the ACHP, federal agencies, and preservation partners will work on for the next year. Highlights include gathering and presenting success stories, good examples of the use of digital information, and best practices that support historic preservation planning, and informing leadership and budget managers why it is important. The task force members will look into the area of funding and helping various data managers exchange data when needed as it may apply to other action items.

Mr. Tannenbaum realizes that Indian tribes manage data differently and are unlikely to share GIS information for their historic properties. The plan calls for the exploration of other ways to use technology to facilitate communication in the review process.

Mr. Franklin said he will be sending examples from California. Mr. Rowley said the USDA Forest Service is investing in a partnership with the Washington SHPO specifically around data sharing. It has received more funding this year. The goal is speeding up consultation and dialogue so they can share data.

Ms. Sullivan asked if anyone had reached out to the National Congress of American Indians’ Digital Task Force Committee as a potential partner in this process. She said DOI’s Federal Geographic Data Committee, Cultural Resources subcommittee has not met in three years, so how can the ACHP engage them. Mr. Nelson said the ACHP has effectively engaged with NPS personnel who are informing him on those efforts and are supportive of the Task Force’s findings and recommendations.

ACHP Section 3 Report Developments

Mr. Tannenbaum said the ACHP is preparing the next Section 3 report, which is due in 11 months. Staff is providing updated guidance to federal agencies on preparing their own progress reports to the ACHP and the Secretary of the Interior on their efforts to identify, use, and protect historic properties. Digitization is certainly an area that is being looked at, as well as leveraging historic buildings.

Chairman Jorjani said the scope of this report may change a little bit thanks to all the information gathered from previous reports. Mr. Nelson said in each report cycle, the ACHP has attempted to identify a number of thematic issues. There are members around the table who have said it might have been too many themes. He recognized that the ACHP was not always able to move the needle forward in each of those areas. They were also awaiting a full-time chairman to allow the ACHP to engage agencies even more actively on implementing those things that were really important parts of the report.

The two thematic areas for this report will be digital information, recognizing that mapping and maintaining information about historic properties is a vital part of identifying, protecting, and using them,

and leveraging federal historic buildings. The workgroup is focusing on a constant refrain in the past reports, that outleasing a historic federal building often encounters challenges.

The guidance includes a number of questions that will get more information from agencies about how they are addressing these areas, what challenges they are experiencing, what successes they are having, and whether there are resource issues.

Ms. Sullivan asked when the guidance would be coming out. Mr. Nelson said while the draft guidance is in the meeting book, it will be finalized and sent out in the next week. Ms. Sullivan encouraged the staff to think about are the report's recommendations really going to be followed through on.

Leveraging Federal Historic Buildings Working Group

Mr. Nelson said agencies note that while outleasing a historic building rather than demolishing it or letting it sit unused was often a preferred option, there were challenges to doing that. The ACHP recognized the benefit in drawing together agencies that owned a lot of structures and had experience in managing and outleasing buildings to help staff better understand what the issues are.

He appreciated that Chairman Jorjani convened this workgroup, and that they have met three times. The first meeting was organizational and focused on determining direction. The second meeting had an excellent presentation by GSA on its leasing program. The third meeting focused on the private sector lessees and heard about their experiences. An issue that emerged was the challenge of financing, which will be the topic of a future workgroup meeting. The goal of the workgroup is identify best practices and success stories that will inform the ACHP's next Section 3 Report to the President.

New Business

Chairman Jorjani said there is no new business at this time. The summer ACHP meeting will be July 8-9; the fall meeting will be October 21- 22. Both should take place in Washington, DC.

The meeting adjourned at 12:41 p.m. with a motion from Mr. Franklin and second by Mr. Tannenbaum.